

**Congress of the United States**  
**Washington, DC 20515**

April 4, 2017

The Honorable Tom Price, M.D.  
Secretary  
Department of Health and Human Services  
200 Independence Ave., SW  
Washington, DC 20201

Dear Secretary Price:

Congratulations on your recent confirmation as the new Secretary of Health and Human Services. As you begin in your new role, we want to raise an issue of particular concern: the World Health Organization's (WHO) Guidance on "Ending the Inappropriate Promotion of Foods for Infants and Young Children" ("guidance") that was developed by the WHO Secretariat last year.

Milk has long been recognized as a vital source of nutrients for children. The 2015-2020 Dietary Guidelines for Americans (DGA) reaffirmed the importance of dairy products in the diets of children ages one and up. The DGA underpin many government nutrition programs, such as the Women, Infants, and Children (WIC) program. That is why its recommendations are required to be backed up by the best available science. Similarly, the American Academy of Pediatrics recommends that children begin consuming milk at age one to aid in growth and development. This conclusion too was arrived at after careful and thorough scientific study.

Despite such a wealth of scientific evidence, not just from the US but globally as well, the WHO guidance recommends significant new restrictions and prohibitions on the promotion and marketing of milk products for young children up to three years of age without providing any sound scientific substantiation or analysis of their impact.

The US and other countries raised concerns about the potential impacts of the guidance on public health and on access to information for parents, caregivers, health professionals, and others. Despite these concerns, the WHO Secretariat finalized the guidance with little or no substantive changes. Due to interventions by the US Government, including the Department of Health and Human Services, the resolution accompanying the guidance that was approved by the World Health Assembly did not endorse the guidance and stated that any implementation of its recommendations should be done in accordance with national context, should take into account countries' international obligations and that Codex Alimentarius, not WHO, remains the primary body for developing international food standards.

Nevertheless, the WHO is now incorrectly presenting the guidance as a new international standard and pressuring governments to implement its recommendations. As a result, a number of countries are drafting new laws to prohibit marketing of imported milk products consumed by children up to the age of three as well as restrict labeling content and the use of well-established company trademarks and brand names.

As you begin your work at the Department of Health and Human Services, we urge you to:

1. Work on an inter-agency basis with your colleagues at the US Trade Representative, the Department of Commerce, and the Department of Agriculture to advocate against measures being developed by our trading partners to implement the guidance that are not evidence-based, ignore alternative policies that have been proven to achieve the intended public health policy objective and are inconsistent with their international obligations, including those of the World Trade Organization.
2. Work with your colleagues at the US Trade Representative, the Department of Commerce, the Department of Agriculture, and other agencies as necessary to improve coordination and private sector consultation on US policy positions at the WHO to ensure that all relevant agencies are at the table and the full range of US interests are taken into account before US positions are developed.
3. Reaffirm that the Codex Alimentarius is the appropriate standard-setting body for these milk products and reinforce this in future dealings at the WHO.
4. Ensure that all future WHO guidance documents are promulgated in a transparent, deliberate manner and are rooted in sound, thoroughly-vetted scientific evidence.

As a key funder the WHO, the US should lead the effort to ensure that WHO policies are evidence-based and developed in a transparent and consultative manner, particularly given the implications of this particular guidance for young children. Thank you for your attention to this matter and we look forward to working with you.

Sincerely,



JACKIE WALORSKI  
Member of Congress



RON KIND  
Member of Congress



SEAN DUFFY  
Member of Congress



PAT TIBERI  
Member of Congress



TOM COLE  
Member of Congress



PETER WELCH  
Member of Congress

CC: US Trade Representative, Department of Commerce, Department of Agriculture



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DEVIN NUNES  
Member of Congress



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